

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff/Respondent,

v.

Criminal Case No. 14-20209

Civil Case No. 18-11171

Sarah Ann Calvetti,

Sean F. Cox

Defendant/Petitioner.

United States District Court Judge

ORDER GRANTING PETITIONER'S APPLICATION TO PROCEED *IN FORMA*
PAUPERIS ON APPEAL

In an Opinion and Order issued on January 23, 2019, the Court denied Petitioner's motion to vacate her sentence under 28 U.S.C. § 2255. (ECF No. 114). The Court also declined to issue a certificate of appealability.

This matter is currently before the Court on Petitioner's application seeking to proceed *in forma pauperis* on appeal. (ECF No. 117).

The standard for issuing a certificate of appealability is a higher threshold than the standard for granting *in forma pauperis* status, which requires showing that the appeal is not frivolous. Although this Court declines to issue a certificate of appealability because that standard is not met, the issues are not frivolous. Therefore, an appeal could be taken in good faith, and Petitioner may proceed *in forma pauperis* on appeal. 28 U.S.C. § 1915(a)(3); FED. R. APP. P. 24(a)(2); *Foster v. Ludwick*, 208 F.Supp.2d 750, 764 (E.D. Mich. 2002).

Accordingly, Petitioner's application to proceed *informa pauperis* is GRANTED.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: March 8, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 8, 2019, by electronic and/or ordinary mail.

s/Brianna Garant

Case Manager